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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA

13 James Anthony Davis,

14 Plaintiff,

15 v.

16 Michael Minev, *et al.*,

17 Defendants.
18
19

Case No. 2:22-cv-01796-RFB-DJA

**Fourth Stipulation for Revised
Scheduling Order**

20 Pursuant to FRCP 16(b)(4) and Local Rule 26-2, the parties stipulate and agree
21 to modify/extend the Scheduling Order (ECF No. 61) and respectfully request the
22 Court approve the proposed schedule, set forth herein. This is the fourth stipulation
23 for the extension of these deadlines. This request is submitted at least twenty-one
24 (21) days or more before the close of discovery (February 28, 2025) is made in good
25 faith, and is supported by good cause.
26

STATEMENT OF FACTS IN SUPPORT OF STIPULATION

On May 8, 2024, the Court approved the parties' stipulation for a discovery schedule. Shortly thereafter, Plaintiff's counsel diligently began discovery, making an initial disclosure and serving a request for production (RFP) on May 17, 2024 for a number of documents from NDOC, including Mr. Davis's medical records.

As previously noted, the discovery production in this case is particularly large, so far encompassing over 3,000 pages of documents. Plaintiff's counsel, after agreeing to an extension of the production deadline sought by Defendants, did not receive an initial disclosure until June 21, and received subsequent disclosures on July 1, July 11, and August 1. Plaintiff's counsel has required significant time to organize and review these records, so that he can determine what other discovery is needed to fully develop the claims in this case.

Since the prior extensions were sought, counsel have proceeded with discovery. Plaintiff's counsel conducted a Rule 30(b)(6) deposition on November 15, 2024. Plaintiff's counsel has recently noticed a deposition of Defendant Symour Omandac. Counsel's preparations have been complicated by the fact that Mr. Davis has recently been brought back to the High Desert State Prison because of an alleged parole violation, which has complicated attorney-client communications and raises additional concerns about his medical care, which the parties expect to confer about soon. Plaintiff's counsel has also been busy in preparations for a trial in *Johnson v. Barrett*, 2:17-cv-02304-RFB-BNW, which is scheduled to commence on January 21, 2025.

Having conferred, the parties agree that more time is needed to conduct discovery and ask for a sixty (60) day extension of the current deadlines.

- The parties may engage in discovery until April, 29, 2025;

- Expert disclosures must be made on or before February 28, 2025, and disclosures of rebuttal experts must be made on or before March 31, 2025.
- Dispositive Motions: that they be filed and served no later than May 29, 2025;
- Joint Pretrial Order: that it be due on June 30, 2025. If dispositive motions are filed, the deadline for filing the joint pretrial order will be suspended until 30 days after decision on the dispositive motions or further court order.

CONCLUSION

Based on the foregoing and for good cause appearing, the Parties respectfully request that the Court approve their Stipulation and alter the discovery deadlines as set forth above.

Dated December 31, 2024

Aaron D. Ford
Attorney General

Rene L. Valladares
Federal Public Defender

/s/ Kyle L. Hill

Kyle L. Hill
Deputy Attorney General

/s/ Ryan Norwood

Ryan Norwood
Assistant Federal Public Defender

IT IS SO ORDERED:



DANIEL J. ALBRECHTS
UNITED STATES MAGISTRATE JUDGE

DATED: 1/2/2025